



An
Bord
Pleanála

Board Order ABP-319462-24

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F24A/0029

Appeal by Jackie Greene Construction Limited care of McGill Planning Limited of 22 Wicklow Street, Dublin against the decision made on the 11th day of March, 2024 by Fingal County Council to refuse permission.

Proposed Development: Revisions to previously permitted development planning register reference numbers F16A/0152, F16A/0152/E1A, as amended by planning register reference numbers F22A/0562, F23A/0530 and F23A/0543. The proposed revisions to the permitted development comprise of the provision of three additional detached three-bed houses with related modifications to the site layout along with all associated site development works, all on lands in the townlands of Ballymacartle and Greenwood, Parish of Kinsaley, North of Ashgrove and Baskin Cottages and Baskin Lane (L2955), Cloghran, County Dublin.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

It is considered that the proposed development would lead to the loss of open space within the overall permitted 'Abbey Green' housing scheme and would fragment and negatively impact on the quality and utility of the remaining open space and on residential amenity within the overall site. The proposed development would contravene Objective GINH07 of the Fingal County Development Plan 2023-2029, would contravene the 'RS' zoning objective and vision, and would, therefore, be contrary to the proper planning and sustainable development of the area.

Furthermore, it is considered that the proposed development would be inconsistent with Condition number 10 attached to the grant of permission under An Bord Pleanála reference number PL 06F.247545 and Condition 5 (c) attached to the grant of permission under planning register reference number F23A/0543, which are considered reasonable in the context of the proper planned layout and form of the overall residential scheme at this location.

In deciding not to accept the Inspector's recommendation to grant permission, the Board agreed that while no material contravention would arise, having regard to the planning history of the site, and to the layout, disposition and open space as a consequence of the proposed insertion of the three dwellings, the proposed development would not be consistent with proper planning and sustainable development. In this regard, the Board did not share the view of the Inspector that the loss of open space would not negatively impact or reduce the amenity space available.



Declan Moore

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this 8th day of October 2024.